

**Tennessee Sheriffs' Association**

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Elmwood, TN 38560

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September 7, 2004

Chairman Pat Miller  
Director Deborah Taylor Tate  
Director Sara Kyle  
Director Ron Jones  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

RE: *Amend Public Pay Telephone Rules 1220-4-2-.43-.54*  
Docket No. 04-00211  
Comments of the Tennessee Sheriffs' Association

Dear Chairman and Directors:

On behalf of the Tennessee Sheriffs' Association, I am submitting these comments regarding the above referenced docket. Through these comments, we respectfully ask the Authority to consider the concerns of the smaller, local confinement facilities in Tennessee during this rulemaking process regarding inmate telephone service rates.


First, we urge the Authority to consider that the vast majority of Tennessee jails are small and house less than 100 inmates. The equipment used to provide inmate telephone services in these jails is quite expensive due to the unique security requirements of inmate telephone services in a confinement facility. In the majority of the jails, inmate telephone service providers have installed systems which allow correctional officials to monitor and record inmate telephone calls, sort and retrieve inmate call records and perform numerous investigative features which are essential to the security and safety of the confinement facility as well as the general public.

We urge the Authority to make certain that our ability to have this critical service is protected, regardless of the size of the confinement facility. It is our understanding that bringing inmate collect calling rates in line to reflect increases due to equipment costs and inflation rates will help insure that inmate telephone system providers will continue to compete for contracts in Tennessee. It is vital to our confinement facilities that they have access to the security features and investigative tools provided by these systems and that they are allowed to choose a system from a variety of providers which best meets the security and operational standards of the facility

While it is our understanding that the Tennessee Department of Corrections has requested a rate cap of \$1.50 on local inmate calls, we request that the Authority maintain this cap on local calls for state correctional institutions but consider a rate cap more in line with the nationwide average rate for this type of call from local (county and city) jails. There are several reasons for having two categories of correctional facilities for purposes of the rate cap rule. At state institutions, the great majority of calls are collect, long distance calls. Since the long distance calls have high rate caps, companies supplying inmate phone services can make up the loss on local calls through the rates charged for long distance calls. On the other hand, the majority (in most instances in excess of 80%) of all calls placed by inmates in county confinement facilities are local calls. Service providers at local jails cannot rely on revenue from long distance calls but must rely heavily on local calling revenue to recover their costs of service. As the Authority can see, increasing the rate cap for local calls to a level comparable in other states nationwide will help Tennessee county, city and municipal confinement facilities to receive the benefits of competition, technology and security in our inmate telephone contracts.

Thank you for your consideration. If you should have any questions regarding these comments, please contact me at 615-683-4352.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Guider", with a vertical line to its right.

Sheriff Tim Guider  
President  
Tennessee Sheriffs' Association